

Washington **Paid Family & Medical Leave**



Employment Security Department
WASHINGTON STATE

Advisory Committee Meeting
December 13, 2018



PRESENTATION OVERVIEW

Introductions

Approve November Meeting Minutes

Policy Discussion

Operations Update

Technology Update

Open Comment

INTRODUCTIONS

- ▶ Advisory committee
- ▶ In-person attendees

(Note: We will use the conference call feature to identify who is on the phone rather than announce during meeting)

APPROVE NOVEMBER MINUTES

▶ Discussion

POLICY DISCUSSION

- ▶ Introduce Brittany McVicar
- ▶ Elected officials- Are elected officials covered by PFML?

WHO IS INCLUDED IN PFML?

- ▶ Almost all Washington employers and employees are required to participate in Paid Family and Medical Leave.

- ▶ Exceptions
 - ▶ The federal government and its employees - RCW 50A.04.010(6)(b)
 - ▶ Federally-recognized tribes and their employees - RCW 50A.04.110
 - ▶ Self-employed individuals - RCW 50A.04.010(7)(b)(i)

WHO IS CONSIDERED AN EMPLOYEE?

- ▶ Key questions:
 - ▶ Is the person in employment?
 - ▶ “Employment” means “personal service, of whatever nature, unlimited by the relationship of master and servant as known to the common law or any other legal relationship performed for wages...” [RCW 50A.04.010(7)(a)]
 - ▶ “Wages” does not include payments made to cover costs, such as travel or meal stipends.
 - ▶ If yes, is the person in the employment of an employer?
 - ▶ “Employer” means: “... (ii) the state, state institutions, and state agencies; and (iii) any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision.” [RCW 50A.04.010(6)(a)]
- ▶ If the answer to both of these questions is yes, the person is considered an employee.

ELECTED OFFICIALS – PAID

- ▶ Is a paid elected official in employment?
 - ▶ Yes. The official is performing services in exchange for wages.
- ▶ Is a paid elected official in the employment of an employer?
 - ▶ Yes. The relevant government entity is the employer.

- ▶ Result: Paid elected officials are required to participate.

ELECTED OFFICIALS – UNPAID

- ▶ Is an unpaid elected official in employment?
 - ▶ No. Since no wages are paid, the official is not considered in employment for the purposes of PFML.

- ▶ Result: Unpaid elected officials are not required to participate.

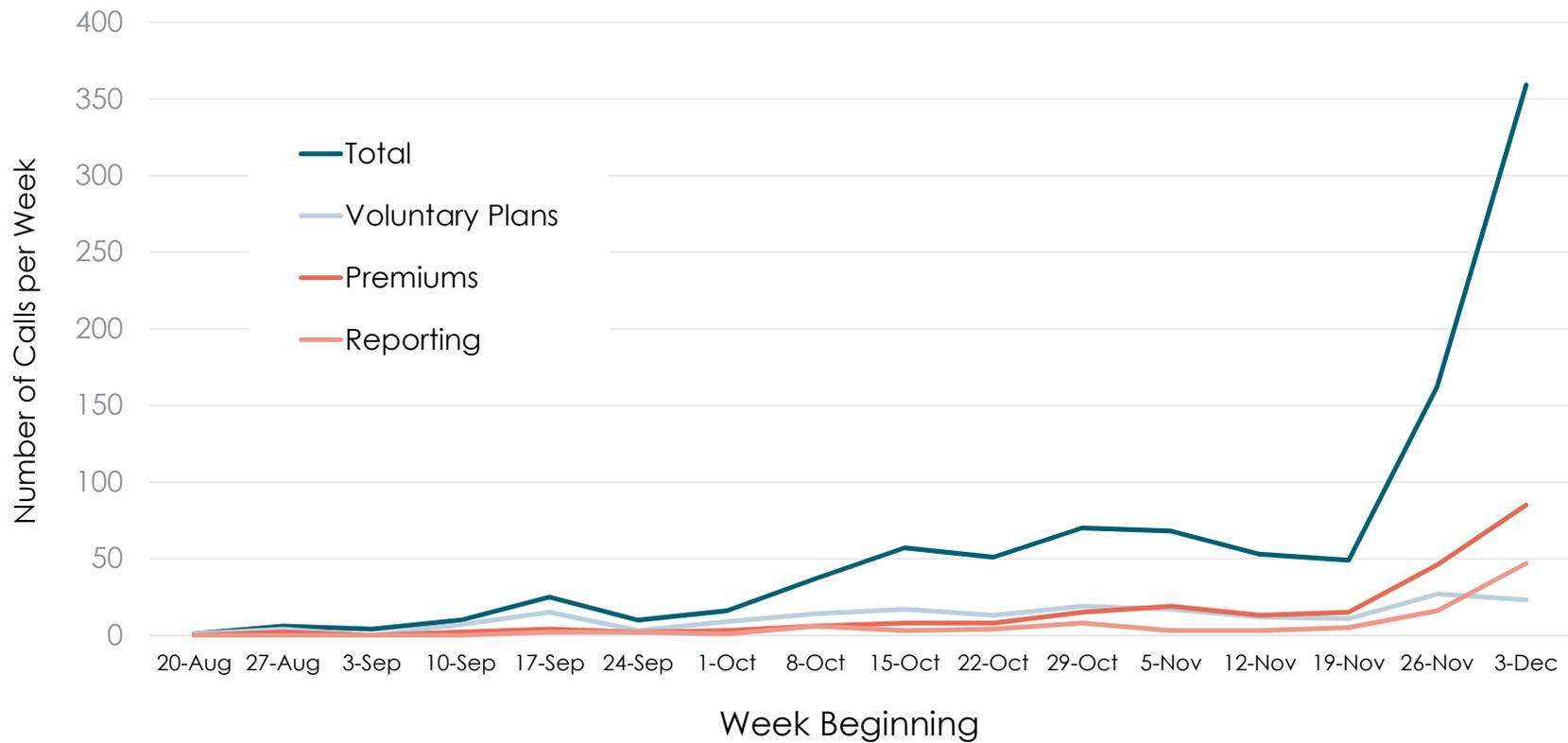
WHAT ABOUT UNEMPLOYMENT INSURANCE?

- ▶ The definitions of “employment,” “employer,” and “wage” align with Unemployment Insurance.
- ▶ Elected officials are statutorily exempt from Unemployment Insurance – RCW 50.44.040(10)(a).
- ▶ This exemption does not exist in PFML law.

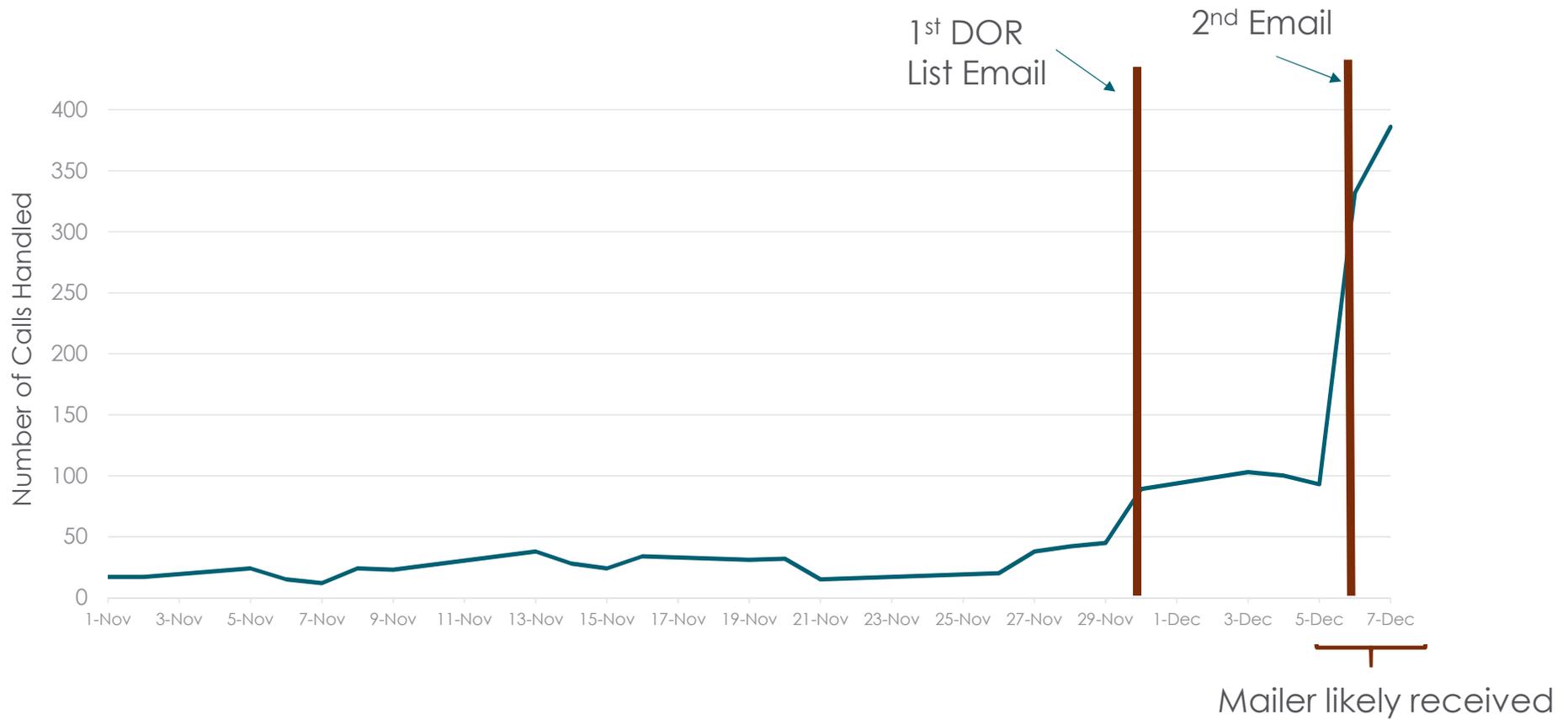
OPERATIONS UPDATE

- ▶ Call Statistics
- ▶ Other Updates
- ▶ Voluntary Plan Statistics & Best Practices

CUSTOMER CARE CALLS BY WEEK



CUSTOMER CARE CALLS AND COMMUNICATIONS



OTHER OPERATIONS UPDATES:

- ▶ Development of FAQs – tracking, standardize responses
- ▶ Elective Coverage

CUSTOMER CARE TEAM



Service Delivery Managers & Training Manager



Cohort 1



Cohort 2



Cohort 3

VOLUNTARY PLANS DASHBOARD

▶ Voluntary Plans Processed as of 12/7

Month (initial application)	Initial application	Completed applications, including payment	Approved	Average of days from completed application to approval
September	2	2	1	14.0
October	22	22	13	17.8
November	100	70	16	13.0
December (to 12/7)	27	5	--	--
Total	151	99	30	15.1

▶ Family only: 6

Medical only: 27

Both: 118

VOLUNTARY PLAN APPLICATION- BEST PRACTICES

1. Read the Voluntary Plan Guide to prepare;
2. Identify the gaps in existing policy from the PFML program requirements;
3. Stipulate the leave entitlement specific to PFML;
4. Provide sufficient details for determination review;
5. Ensure definitions match those required under the law.

TECHNOLOGY UPDATE

FOR THE GOOD OF THE ORDER

▶ Open Comment

CONTINUE THE CONVERSATION

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